

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

KALDREN LLC,

Plaintiff,

v.

WESTERN STATES ENVELOPE
COMPANY,

Defendant.

Case No. 17-CV-917-JPS

ORDER

On September 27, 2017, Defendant filed a motion to dismiss this action pursuant to Federal Rule of Civil Procedure 12(b)(6), asserting that Plaintiff's Complaint failed to state any viable claims for relief. (Docket #17). By operation of this District's Local Rules, Plaintiff's response to the motion was due on or before October 18, 2017. Civ. L. R. 7(b). On October 11, 2017, Plaintiff sought and was granted an extension of time to submit its response, until November 10, 2017. (Docket #21).

It is now four days past November 10, 2017, and Plaintiff has failed to file its response or otherwise communicate with the Court. Local Rule 7(d) provides that failure to file a response to a motion is, standing alone, sufficient grounds to grant the motion. The Court finds that dismissal on this basis, rather than an assessment of the merits of Defendant's motion, is most prudent at this juncture. The Court will, therefore, grant Defendant's motion pursuant to Local Rule 7(d) and dismiss this action with prejudice.¹

¹Defendant submitted an expedited motion for leave to file supplemental authority for its motion to dismiss on October 17, 2017. (Docket #22). Plaintiff similarly failed to respond to this motion within the appropriate time. *See* Civ. L.

Accordingly,

IT IS ORDERED that Defendant's motion to dismiss (Docket #17) be and the same is hereby **GRANTED**;

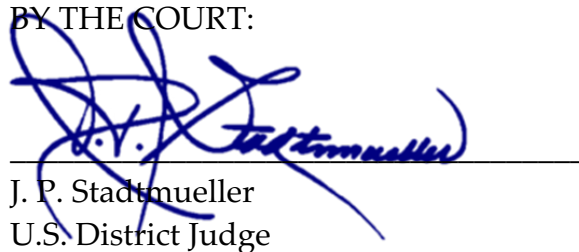
IT IS FURTHER ORDERED that Defendant's motion for leave to file supplemental authority (Docket #22) be and the same is hereby **GRANTED**; and

IT IS FURTHER ORDERED that this action be and the same is hereby **DISMISSED with prejudice**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 14th day of November, 2017.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge

R. 7(h). Though it matters little at this point, the Court must grant this motion as well.